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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,394	06/05/2001	Steven Mason	007011.00001	4602

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BANNER & WITCOFF, LTD.
1100 13th STREET, N.W.
SUITE 1200
WASHINGTON, DC 20005-4051

EXAMINER

COBANOGLU, DILEK B

ART UNIT	PAPER NUMBER
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3626

MAIL DATE	DELIVERY MODE
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06/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/873,394

Applicant(s)

MASON ET AL.

Examiner

Dilek B. Cobanoglu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-11 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-11 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the RCE (request for continued examination) received 04/16/2007. Claims 1-8 and 12-16 have been canceled and claim 17 has been added. Claims 9-11 and 17 remain pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 9-11 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: generating a form. Claims 9 and 17 recite "transmitting said designations to a remote web server, and then receiving a form for receiving said type of information". The step of "web server generating a form according to the received designation information and according to the patient information obtained from the patient database".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 9-11 and 17 are rejected under 35 U.S.C. 102(e) as being unpatentable by Bleicher et al. (hereinafter Bleicher) (U. S. Patent No. 6,820,235 B1).

A. As per claim 9, Bleicher discloses A method of processing patient information on a web-based client comprising the steps of:

- i. designating a patient (Bleicher; col. 3, lines 43-49 and Figure 2);
- ii. designating a type of information to be associated with said patient (Bleicher; col. 3, lines 43-49 and Figure 2);
- iii. transmitting said designations over the Internet to a remote web server which is connected to a database server (Bleicher; col. 5, lines 18-32, col. 6, lines 6-14 and Figure 2);
- iv. receiving a form for receiving said type of information (Bleicher; col. 10, lines 47-67);
- v. populating said form (Bleicher; col. 10, lines 47-67);
- vi. transmitting at least the information populated on said form to said remote web server, which forwards the information to said database server (Bleicher; col. 10, lines 47-67).

B. As per claim 10, Bleicher discloses the method according to claim 9, further comprising the steps of: transmitting a permission regarding said patient and a remote client to said database server, wherein said remote client may obtain at

least some of said information to be associated with said patient (Bleicher; col. 10, lines 47-67).

C. As per claim 11, Bleicher discloses the method according to claim 9, wherein said form relates to a first module of information to be stored on said remote database, and wherein said method further comprises: receiving a second form from said remote database server, said second form relates to a second module of information (Bleicher; col. 30, lines 52-63).

D. A method of processing patient information on a web-based client comprising the steps of:

- i. designating a patient (Bleicher; col. 3, lines 43-49 and Figure 2);
- ii. designating a type of information to be associated with said patient (Bleicher; col. 3, lines 43-49 and Figure 2);
- iii. transmitting from said web-based client said designations over the Internet to a remote web server, which is connected to a database server (Bleicher; col. 5, lines 18-32, col. 6, lines 6-14 and Figure 2);
- iv. receiving a form from said remote web server for receiving said type of information in response to said transmitting step, said form selected from a plurality of forms based on said type of information (Bleicher; col. 30, line 64 to col. 31, line 8 and Figure 12A);
- v. at said web-based client, populating said form with information relating to said patient (Bleicher; col. 10, lines 47-67);

vi. transmitting at least the information populated on said form to said remote web server, which forwards the information to said database server (Bleicher; col. 10, lines 47-67).

Response to Arguments

6. Applicant's arguments with respect to claims 9-11 and 17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not used prior art teach System and method for reporting behavioral health care data 6067523 A, Computer-implemented process of reporting injured worker information 6,065,000, Method and system for processing electronic documents 6,021,202, Method and system aiding medical diagnosis and treatment 5974124 A, Web-based biometric authentication system and method 5930804 A, Electronic medical records system 5924074 A, Data update monitoring in communications network 5905866 A, Organization training, coaching and indexing system 5890149 A.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dilek B. Cobanoglu whose telephone number is 571-272-8295. The examiner can normally be reached on 8-4:30.

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9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DBC

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Art Unit 3626
05/17/2007

Robert Morgan
Robert Morgan
Patent Examiner
Art Unit 3626